

Rubin Order

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION

Beaufort County Schoolbook Foundation, Inc.
Plaintiff,

C/A No.9:03-0390-23

vs.

American Bankers Insurance Company of
Florida, et al

Defendants.

ORDER OF DISMISSAL
(as to Defendants American
Bankers Insurance Company of
Florida and Safeware, The
Insurance Agency, Inc.)

The Court having been advised by counsel for the parties that the above action has been settled **only as to defendants American Bankers Insurance Company of Florida and Safeware, The Insurance Agency, Inc..**

IT IS ORDERED that this action is hereby dismissed **as to defendants American Bankers Insurance Company of Florida and Safeware, The Insurance Agency, Inc.** without costs and without prejudice. If settlement is not consummated within sixty (60) days, either party may petition the Court to reopen this action and restore it to the calendar. Rule 60(b)(6), F.R. Civ. P. In the alternative, to the extent permitted by law, either party may within sixty (60) days petition the Court to enforce settlement. Fairfax Countywide Citizens v. Fairfax County, 571 F.2d 1299 (4th Cir. 1978).

The dismissal hereunder shall be *with prejudice* if no action is taken under either alternative within sixty (60) days from the filing date of this Order.

IT IS SO ORDERED.

S/Patrick Michael Duffy
PATRICK MICHAEL DUFFY
UNITED STATES DISTRICT JUDGE

April 22, 2005
Charleston, South Carolina